

Message Confirmation Report

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
901 NORTH FIFTH STREET  
KANSAS CITY, KANSAS 66101  
10 JUL 13 AM 8:32  
ENVIRO. PROTECTION  
AGENCY REGION VII  
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

IN THE MATTER OF )  
 )  
Spirit AeroSystems, Inc. ) CONSENT AGREEMENT  
3810 S. Oliver ) AND FINAL ORDER  
Wichita, Kansas 67210 )  
 )  
EPA ID Number: KSR000503961 ) Docket No. RCRA-07-2009-0012  
 )  
Respondent )  
 )  
Proceeding under Section 3008 (a) and (g) of )  
the Resource Conservation and Recovery Act )  
as amended, 42 U.S.C. § 6928(a) and (g). )

CONSENT AGREEMENT AND FINAL ORDER

This proceeding for the assessment of civil penalties was initiated on or about December 23, 2009, pursuant to Section 3008(a) and (g) of the Resource Conservation and Recovery Act ("RCRA"), when the United States Environmental Protection Agency (Complainant or EPA) issued to the Spirit AeroSystems, Inc., Wichita, Kansas, (Respondent) an Amended Complaint, Compliance Order and Notice of Opportunity for Hearing ("Amended Complaint").

The Amended Complaint charged Respondent with violations of Section 3005 of RCRA, 42 U.S.C. § 6925, and the regulations found at 40 C.F.R. Parts 261, 262 and 265.

The Amended Complaint proposed a penalty of Two Hundred and Forty Thousand One Hundred and Sixty-Seven Dollars (\$240,167) for these violations. The Complainant and Respondent subsequently entered into negotiations in an attempt to settle the allegations in the Amended Complaint.

This Consent Agreement and Final Order (CAFO) is a result of the above negotiations and resolves the administrative claims arising from the RCRA violations alleged in the Amended Complaint.